

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

United States District Court  
For the District of Maryland

2011 MAR -9 P 3:23

Midland Funding LLC  
Petitioner,

CLERK'S OFFICE  
AT GREENBELT

BY 12 DEPUTY

U.S. Case # Pending  
Case # CV5-45441-2010

DKC11 CV 0636

United States of America  
as Henry T. Gordon  
Respondents.

Memorandum in Support of Affidavit  
in Support of Motion for Leave to file Notice of  
Removal, Motion for Judgment, Motion to  
Dismiss, Motion for Summary Judgment,  
Notice of Taking Deposition, Interrogatories  
to Parties, Requests, Motion for Executory  
Hearing, Subpoena, Judgment dated to  
District Court of Prince George's County, Petitioner  
as Clerk address to United States District Court  
For the District of Maryland Jury in forma pauperis

### Introduction

I certify under the penalty of perjury that the information  
noted on the Respondent's duplicate District Court of Prince George's County Judgment  
unit is true & correct on this 9TH day of March 2011, based on the laws, statutes,  
rule & precedent as cases.

Motion for leave to file

Dear District Court Jury,



Please, he advised the clerk's office refused to file a copy of the Respondents' lodged papers with the clerk's office until the court rule on the Respondents' attached pauper's motion as a leave to file is appropriate in this matter so the court can order the clerk to file a copy of the Respondents' lodged papers with the clerk's office because a leave to file motion can be filed with any establishment within or under the jurisdiction of the United States 2d with First Amendment under the Fourteen Amendment, by Fifth Amendment.

### Respondents Relief Sought

The clerk is compelled to file a copy of the Respondents' lodged papers with the clerk's office on 9 March 2011. See, Article 3 of the United States Constitution, Rule 105 of this court.

### Notice of Removal

Dear District Court Jury,

Please, because on or about 9 December 2010, the Petitioner filed a lawsuit against the Respondents with the state court so the Respondents opposed the Petitioner's lawsuit so filed a timely Request for Trial by Jury, Alternative, Counterclaim or Crossclaim, Subpoena and attachments with the state court so the state court decision date 14 February 2011 establish the state court served a copy of the Respondents' subpoena, counterclaim or crossclaim so attachments upon the Petitioner because the Respondents' Unspecified Damages is over \$15,000 so Article 10-23 Adoption of Constitutional Amendment 5B-118-2010 doesn't apply in this situation because the Respondents' money damages is over \$15,000 so Maryland Rule 3-325, Title 28, Section 1607 and Title 28, Section 1605 authorize the state court clerk to transmit the records to the Circuit Court of Prince George's County clerk's office within 15 days of filing the Respondents' Request for Trial by Jury with the clerk in lieu of the clerk alleging on the credit log the jury trial



amount entered in an answer is not \$15,000 or more. Furthermore, the state court could not further establish the Petitioner's Affidavit of Return of Service is false, with the Petitioner failed to comply with the state court subpoena and to rule with the Petitioner is guilty of contempt of perjury before the state court with 14, 7, 6, 5 and 1. Presently, the Respondents' jury trial before the state court is ruled on the state court clerk refused to comply with Maryland Rule 3-325(C) without any sufficient reasons noted in the court docket log. Any prudent individual would assume the state court is denying the Respondents his constitutional right to trial by jury, equal protection and due process as Title 28, Section 1443, Title 28, Section 1441 and Title 28, Section 1331 authorize the Respondents to remove the state court actions to the United States District Court for the District of Maryland (Greenbelt) July 2nd with the First Amendment under the Fourth Amendment and the Fifth Amendment.

Second, the state court records further establish the Respondents provide the Petitioner's state court clerk's office a timely notice of address and telephone number change for the consideration of the Petitioner's refusal to serve a copy of the state court summons and complaint upon the Respondents' new address as Title 28, Section 1448 and F.R.C.P. 41(b) authorize the Respondents to move for a Motion to Dismiss with or without the court to dismiss for failure to prosecute, comply with the rules or subpoena. Furthermore, Title 28, Section 1446 clearly establish the parties papers is subject to F.R.C.P. 11 and F.R.C.P. 11 authorize the Petitioner to promiss to the jury based on the preponderance of the evidence that Title 28, Section 1607, Title 28, Section 1605, Title 28, Section 1443, Title 28, Section 1441, Title 28, Section 1331, Title 42, Section 1983 and Article 3 of the United States Constitution doesn't authorize the Respondents to remove the state court actions to the United States District Court for the District of Maryland July prior to 10 March 2011 or the Respondents notice of removal is summarily affirmed as with the Petitioner failed to comply with the court rules or subpoena with Title 28, Section 1607 and Title 28, Section 1605 clearly establish the



Petitioner waive the Petitioner Immunity before the jury as is subject to the jury to the jury decision as as further as the Respondent is concerned. 40

The jury failed to establish the Petitioner opposing points & authorities paper & evident establish the court & jury can determine based on the state court records the District Court of Prince George's County, Maryland, with MR3-325 (C)-001-201; Fourteen, Seventy-fifth, Fifth & First Avenue; Maryland Declaration of Rights & Maryland Rule 3-612 or establish the Petitioner opposing points & authorities paper & evident establish the court & jury can determine based on the state court records to this court that the Petitioner isn't entitled to notice of removal suit & on the laws, statutes & rules or establish the Petitioner opposing points & authorities paper & evident establish the court & jury can determine based on the state court records to this court that the Respondent's notice of removal is untimely filed with the clerk's office or establish the Petitioner opposing points & authorities paper establish the court & jury can determine based on the state court records to this court that the Respondent's notice of removal failed to comply with Title 28, Section 1443, Title 28, Section 1446, Title 28, Section 1441, Title 28, Section 1607, Title 28, Section 1605, Article 3 of the United States Constitution & F.R.C.P. 11 or establish the Petitioner opposing points & authorities paper & evident establish the court & jury can determine based on the state court records to this court that the parties didn't stipulate, consent & agree for the jury to grant the Respondent's notice of removal, relief sought & enter notice of removal decision in favor of the Respondent in violation of 9 March 2011, pursuant to the Rules of Evidence & the jury granted the Respondent's Petition for removal by Title 28, Section 1746, Title 28, Section 1607, Title 28, Section 1605, Title 28, Section 1331, Title 18, Section 1423 (C); Title 18, Section 1621.



### Respondents Relief Sought

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The District Court of Prince George's County case number CV5-4544-2010, removed to the United States District Court For The District of Maryland (Shirley) Jury suite number 100 on 10 March 2011. by, Title 3 of the United States Constitution; Title 28, Section 1446.

Motion for Judgment Alternative,  
Motion to Dismiss, Motion for  
Summary Judgment

Dear District Court Jury,

Please be advised the Respondents affidavit certify MR3-612 authorize the District Court of Prince George's County to enter judgment unit in favor of the Respondents based on the stipulation, consent or agree of the parties with information notes on the Respondents Duplicate District Court of Prince George's County Judgment unit is true & correct based on the laws, status, rules, and case of Title 28, Section 1449 authorize the state court clerk to place the records of judgment unit in the parties or the court possession on 10 March 2011, as is further as the Respondents is concerned. The Respondents is entitled to judgment unit under Title 28, Section 1449-40 MR3-612 on 10 March 2011, with the First Amendment under the Fourteen Amendment. by Fifth Amendment.

Second, Article 4 of the United States Constitution as Title 28, Section 1450 clearly establish the state court records remain in full force & effect until rescinded or modified by this court as thereupon F.R.C.P. 41(b) authorize the Respondents to seek Motion to Dismiss unit because the state court records clearly establish the Petitioner failed to prosecute or comply with 45, 36, 35, 34 & 33 as 1R105 of this court as subpoena unit as Article 3 of the United States



Constitution of F.R.C.P. 41(b) clearly establish the Respondents is entitled to judgment unit from the state court under MR 3-6/2 and Title 28, Section 1449 on 10 March 2011, IAW the First Amendment and the Fourteenth Amendment. See, Fifth Amendment.

Thing LR 105 of this court authorize the Respondents to move for judgment on any or all of the issues in any action at the close of the evidence offered by an opposing party as in a jury trial at the close of all the evidence as LR 105 of this court authorize the court as jury to enter judgment on counterclaim or claim or as authorize the court as jury to consider all evidence and inferences in the light most favorable to the Respondents because the Respondents filed the motion first with the clerk's office as authorize the court to submit the case to the jury for consideration and reserve the court decision on the motion until after the verdict or discharge of the jury as far as the Respondents is concerned. The Petitioner's response paper as evident will summarily affirm or disaffirm the Respondents Superior District Court of Prince George's County judgment unit to the court as jury based on the evident in light of the Rules of Evidence IAW the First Amendment and the Fourteenth Amendment. See, Fifth Amendment.

Fourth, the state court docket log further establish the case was filed with the state court clerk's office on 9 December 2010, as F.R.C.P. 56 authorize the Respondents to seek a motion for summary judgment unit from this court or jury to recover the Respondents judgment unit from the District Court of Prince George's County as to summarily affirm or disaffirm the Respondents Superior District Court of Prince George's County judgment unit based on the evident and as far as the Respondents are appellate court is concerned. This court as jury can't establish the Respondents isn't entitled to judgment unit as a matter of law based on the preponderance of the evidence pursuant to the Rules of Evidence IAW the First Amendment and the Fourteenth Amendment. See, Fifth Amendment.



Fifth, the state court records further establish the Petitioner Processor Affidavit of Return of Service is false as the Respondents have never served a copy of the state court summons & complaint on 29 January 2011, 2:10 P.M., as the state court has no jurisdiction over the Respondents as since the Petitioner refused to receive the summons & complaint & served the summons & complaint upon the Respondents or comply with F.R.C.P. 4 prior to the Respondents filing this paper with the clerk's office. F.R.C.P. 41(b) authorize the federal & state court to dismiss for insufficient service of process under F.R.C.P. 12(b) for failure to comply with F.R.C.P. 4 so as further as the Respondents or appellate court is concerned. Article 3 of the United States & F.R.C.P. 41(b) clearly establish the Respondents is entitled to judgment unit under Article 3 of the United States Constitution & F.R.C.P. 41(b) & 12 on 10 March 2011, pursuant to the Rules of Evidence I & II the First Amendment & the Fourth Amendment & the Fifth Amendment.

Sixth, as the court is going to award judgment maybe entered on counterclaim & cross claim under F.R.C.P. 13 to prevent the state court from imposing fines & jail term upon the Petitioner Parties & Processor under Title 28, Section 1746, Title 18, Section 1623 (C), Title 18, Section 1621 & Title 18, Section 461 for contempt & perjury. The state court records further establish the parties stipulated, consented & agreed for the state court to enter judgment unit in favor of the Respondents under MR 3-6/2 on 10 March 2011, & filed a copy of the Respondents Dependent District Court of Prince George's County Judgment unit under the above entitled actions docket log on 10 March 2011, & produce copies in the Respondents & parties possession for inspection & peruse on 10 March 2011, together with proof of service of a filed type signed certified copy of the Respondents Dependent District Court of Prince George's County certificate of judgment unit so as further as the Respondents or appellate court is concerned. F.R.C.P. 13 authorize the court to order the state court to enter judgment unit in favor of the Respondents in whole under MR 3-6/2 on 10 March 2011, & the Petitioner opposing points & authorities paper & evident will summarily



affirm or disaffirm this transaction to the court as jury bases on the evident pursuant to the Rules of Evidence 2D with the First Amendment under the Fourteen Amendment by Fifth Amendment.

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Seventh, Title 18, section 1623(C), Title 18, section 1621 & Title 18, section 461 clearly establish contempt copying is consider as a felony offense before the court as jury because the jail time is over six (6) months with District Court of Prince George's County has no jurisdiction over felony offense before the court in light of section 1-703, 1-605, 1-604 & 1-603 of the Courts & Judicial Proceedings; MR 4-221-201-201 as Sixth Amendment must transfer & remove the actions to the jury for consideration as being in the United States Attorney or State Attorney in this matter & MR 4-221 only authorize the District Court of Prince George's County to hold preliminary hearing forthwith to determine the truth of matter or explain to the jury why the District Court Judge should not be indicted for criminal negligence as to prevent the jury from indicting the State Court Judge for criminal negligence. Any prudent individual would assume the District Court of Prince George's County staff will admit or confess to this court as jury that the information notice on the Respondents duplicate District Court of Prince George's County judgment unit is true & correct based on the laws, status, religious & cases with the Petitioner opposing points as authority paper & evident will summarily affirm or disaffirm this transaction to the court as jury bases on the evident pursuant to the Rules of Evidence 2D with the First Amendment under the Fourteen Amendment by Fifth Amendment.

Eight, Celotex Corp. v. Catrett, 477 U.S. 317; 323-24, 106 S.Ct. 2548, 2552-53, 91 L.Ed.2d 265 (1986) clearly establish the purpose of summary judgment is to isolate & then terminate claims & defenses that are factually unsupported. Furthermore, the above entitled sections do not establish the court as jury has no evident establishing the District Court of Prince George's County & Parties notice on the Respondents duplicate



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Unit isn't guilty of contempt, perjury, nonfeasance, negligence, breach of agreement, deases on the evidence and a prima facie burden is discharged simply by pointing out to the court or jury that an absence of evidence in support of the non-moving party's claims or defenses. *Calotex Corp. v. Catlett*, 477 U.S. 317, 106 S.Ct. 2548, 91 L.Ed. 2d 265 (1986) although the burden of proof to shift to the Respondents to show by affidavit or otherwise that a genuine issue of material fact remains for the factfinder to resolve as *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248 106 S.Ct. 2505, 2510, 91 L.Ed. 2d 202 (1986) indicate material fact hinges on the substantive law at issue as a fact is material if it affect the outcome of the case as a confession or admission of a charge is sufficient to carry the matter to the jury for consideration or punishment so as further as the Respondents as appellate court is concerned. This court or jury can't establish the Respondents fail to demonstrate there is a genuine issue of material fact remains for the factfinder to resolve in light of the Rules of Evidence 2d with the First Amendment, the Fair Trial Amendment, say Fifth Amendment.

Ninth, the above entitled statements establish the Respondents is entitled to judgment Unit from both courts as a matter of law as as further as the Respondents is concerned. This court or jury can not establish the Respondents isn't entitled to judgment before both courts pursuant to the Rules of Evidence pursuant to the Rules of Evidence 2d with the First Amendment and the Fair Trial Amendment. say Fifth Amendment.

Next, the Respondents affidavit certify the Respondents papers comply with F.R.C.P. 56/41 as 12 as LR 105 as this court as the matter is before the jury in lieu of the court assuming for the moment the court take the case away from the jury as subject to the court own opinion in the case on its own motion. *Shannon v. Groves*, 257 F.3d 1164, 1167 (10th Cir. 2001) (Citing *Fidelity* ~



Deposit Co. v. U.S., 187 U.S. 315, 319-20, 23 S. Ct. 120, 121-122, 47 L. Ed. 194 (1902), as F.R.C.P. 56 authorizes the actions to be submitted to the jury for consideration in spite of the court decision as far as the Respondents' appellate court is concerned.

The jury failed to establish the Petitioner opposing points as authoritative paper as evident establish the court as jury can determine based on the preponderance of the evidence that a genuine issue of material fact remains for the factfinder to resolve or establish the Petitioner opposing points as authoritative paper as evident establish the court as jury can determine based on the preponderance of the evidence that the Respondents isn't entitled judgment as a matter of law before the federal or state court or establish the Petitioner opposing points as authoritative paper establish the court as jury can determine based on the preponderance of the evidence that the District Court of Prince George's County, Petitioner as parties complied with the laws, status, rules and subpoena and or establish the Petitioner opposing points as authoritative paper as evident establish the court as jury can determine based on the preponderance of the evidence that the Petitioner Processor sends a copy of the state court summons or complaint upon the Respondents 29 January 2011, 2:10 P.M., 6402 Country Club Court, Landover, MD. 20785 or establish the Petitioner opposing points as authoritative paper establish the court as jury can determine based on the preponderance of the evidence that the Petitioner Processor Affidavit of Return of Service isn't evasive or frivolous or without merit based on the laws, status, rules, precedent or case or establish the Petitioner opposing points as authoritative paper establish the court as jury can determine based on the preponderance of the evidence that the District Court of Prince George's County, Petitioner as parties notice on the Respondents duplicate clerk subpoena and isn't guilty of contempt, perjury, negligence, nonfeasance, fraud, harassment or abuse or establish the Petitioner opposing points as authoritative paper as evident establish the parties didn't stipulate, consent or agree for the jury to grant the Respondents motions, relief sought or enter dismissal, judgment or summary judgment decision in favor of



the Respondents include under F.R.C.P. 56, 4/10/12 on 9 March 2011, pursuant to the Rules of Evidence as the jury grants the Respondents Motion for Judgment, Attorneys Motion to Dismiss, Motion for Summary Judgment. by Title 28, Section 1746; Title 28, Section 1607; Title 18, Section 1605; Title 28, Section 1331; Title 18, Section 1623(c); Title 18, Section 1621; L.R. 05 of this Court.

### Respondents Relief Sought

①. The Petitioner's action is dismissed with prejudice under F.R.C.P. 41(b) 12 (b) for insufficient process, insufficient service of process as failure to state a claim upon which relief can be granted as the parties is compelled to comply with the Respondents duplicate District Court of Pinedale County judgment unit permanently as forthwith. by Article 3 of the United States Constitution; F.R.C.P. 56, 4/10/12; L.R. 05 of this Court.

②. The District Court of Pinedale County Administrative Judge is compelled to enter judgment unit in favor of the Respondents include under MR 3-6/12 on 10 March 2011, per file a copy of the Respondents duplicate District Court judgment unit with the clerk's office on 10 March 2011, to produce a copy of the Petitioner, Respondents, per office to this Court possession for inspection as per Article 3 of the United States Constitution; F.R.C.P. 56, 4/10/12; L.R. 05 of this Court.

### Motion for Evidentiary Hearing

Dear District Court Jury,

Please be advised Title 28, Section 1746 authorize the Respondents notice of removal to be examined promptly as if clearly appear on the face the notice as attached it should not be granted. The court shall make an order for



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summary remand or hold a evidentiary hearing forthwith. However, the records establish this paper is before the jury in lieu of the court with Respondents. Appellant certifies to the jury the Respondents notice of removal should be granted as thereupon F.R.C.P. 39 (a) authorize the court to determine trial by jury doesn't exist under the Constitution or Statutes of the United States so than enter an order for summary remand or Title 28, Section 1653 or F.R.C.P. 39(a) doesn't authorize the court to enter an order for summary remand until further order from the Court of Appeals inasmuch as LR 105 of this court or Title 28, Section 1447 authorize the Petitioner to file a timely motion to Remand with the clerk's office or this court has no jurisdiction to enter order of summary remand so as full as the Respondents are appellate court.

The jury fails to establish the Petitioner opposing points is authentic paper or event establish the court or jury can determine based on the preponderance of the evidence that the court enter order of summary remand decision or establish the Petitioner opposing points is authentic paper or event establish the court or jury can determine based on the preponderance of the evidence that the parties didn't stipulate, consent or agree for the jury to grant the Respondents motion, relief sought or evidentiary hearing decision in favor of the Respondents or Title 28, Section 1446 or 9 March 2011 pursuant to the Rules of Evidence with jury granted the Respondents motion for Evidentiary Hearing. by Title 28, Section 1746; Title 28, Section 1607; Title 28, Section 1605; Title 18, Section 1623 (c); Title 18, Section 1621; LR 105 of this court.

### Respondents Relief Sought

Respondents evidentiary hearing is scheduled for the date, time & location noted on the Respondents duplicate clerk subpoena unit. by, Article 3; Title 28, Section 1446; LR 105 of this court.



Requests for Trial by Jury

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Dear District Court Jury,

Respondents requested trial by jury.

Requests for Findings of  
Conclusion by the Jury

Dear District Court Jury,

Respondents requested the jury to find the facts  
separately so state its conclusions of law separately.

Requests for Scheduling  
Case for Trial by Jury

Dear District Court Jury,

Respondents requested the jury to provide the Respondents  
a jury trial on the date, time & location noted on the Respondents duplicate club  
subpoena unit.

Requests for Freedom of Information  
Act, Alternative, Notice Taking  
Deposition, Interrogatories to  
Parties, Requests

Dear District Court of Prince George's County, Petitioner, any Custodian of  
Records, Parties, Attorney as Clerk

Respectfully requests the parties to allow the Respondents to  
inspect & copy the records notice before the Respondents on 10 Jun 1976, 8:00 A.  
My counsel will the records notice before the Respondents on 10 Jun 1976



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 copying the records noted before the Respondents on 10 Jun. 1976, as  
 filed a copy of the Respondents' logbook papers with the club's office on the  
 same date as with the matter on 10 Jun. 1976, as taken from the  
 records noted before the Respondents on 10 Jun. 1976, items noted before the  
 Respondents as produced prior to the Petitioner's Respondents' proceedings  
 and this court jury possession for inspection as per court on 10 Jun. 1976,  
 together with proof of service thereof a filed type signed certified  
 copy of the Respondents' duplicate District Court certificate, statement of  
 evidence, judgment and several filed type signed certified copy  
 of the Respondents' duplicate Petitioner's confession; a filed type signed  
 copy of the Respondents' duplicate Petitioner's certificate of confession;  
 waiver, consent, stipulation and settlement; several type signed  
 certified copy of the Respondents' duplicate District Court, Parties and  
 Club docket log; several copy of the Respondents' duplicate District Court  
 envelopes; a filed signed copy of the Respondents' duplicate Club  
 subpoena return; a filed copy of this paper as items noted on the  
 Respondents' copy the stipulation, settlement, subpoena and return.

### Proof of Service

I certify that a copy of the foregoing motions and  
 attachments was forwarded by first class postage prepaid mail  
 service on this 8TH day of March 2011, to:

Neal T. Markowitz, Esq.  
 7350 B- Lane, Dr.  
 Columbia, MD. 21044

### Affidavit in support of Declaration of Signature

Pursuant to Title 28, Section 1746, I certify under the  
 penalty of perjury that the foregoing information consisting of 15 pages is  
 true and correct on this 8TH day of March 2011, based on the laws,  
 statutes, rules and precedent of case.



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Apparent say the more

Respectfully submitted,  
Henry T. Good

4645 Warner Ave, Apt #D3

Hyattsville, MD. 20784

(301)772-1616

8 March 2011